

Message Text

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PAGE 01 USUN N 01280 282339Z

ACTION IO-13

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E.O. 11652: N/A

TAGS: SOCI, SGEN, EGEN

SUBJECT: 62D ECOSOC--SOCIAL DEVELOPMENT,ITEM 10

1. TRANSMITTED BELOW IS A DRAFT RESOLUTION TABLED UNDER ITEM 10, SOCIAL DEVELOPMENT BY THE PORTUGUESE DELEGATION. THE RESOLUTION REDRAFTS OP PARA 3 OF RESOLUTION VII OF THE COMMISSION FOR SOCIAL DEVELOPMENT IN THE FORM OF AN ECOSOC RESOLUTION. THAT PARA ENDORSES RESOLUTION IV OF THE COMMITTEE ON CRIME PREVENTION AND CONTROL.

2. ALTHOUGH WE FIND THIS INITIATIVE UNOBJECTIONABLE, RUMOR HAS IT THAT THE SOVIETS ARE PREPARING A DRAFT DECISION TO THE EFFECT THAT ECOSOC TAKE NO ACTION ON RESOLUTION VII.

3. QUOTE THE ECONOMIC AND SOCIAL COUNCIL, REACLLING ITS RESOLUTION 663 C (XXIV) OF 31 JULY 1957 AND GENERAL ASSEMBLY RESOLUTION 3144 B (XXVIII) OF 14 DECEMBER 1973, RECALLING ALSO GENERAL ASSEMBLY RESOLUTION 3218 (XXIX) OF 6 NOVEMBER 1974 AND THE DECLARATION ON THE PROTECTION OF ALL PERSONS FROM BEING SUBJECTED TO TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OF PUNISHMENT ANNEXED TO GENERAL ASSEMBLY RESOLUTION 3452 (XXX) OF 9 DECEMBER 1975, AWARE THAT DESPITE THE INCREASE IN THE INFLUENCE OF THE STANDARD
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PAGE 02 USUN N 01280 282339Z

MINIMUM RULES FOR THE TREATMENT OF PRISONERS, VIOLATIONS OF THE RULES ARE FREQUENTLY OCCURRING, RECALLING THAT BY PARAGRAPH 6 OF ITS RESOLUTION 1993 (LX) OF 12 MAY 1976,THE ECONOMIC AND SOCIAL COUNCIL REQUESTED THE COMMITTEE ON CRIME PREVENTION AND CONTROL TO STUDY THE RANGE OF APPLICATION OF THE STANDARD MINIMUM RULES AND TO FORMULATE A SET OF IMPLEMENTING PROCEDURES FOR THESE RULES,

HAVING CONSIDERED THE REPORT OF THE COMMITTEE ON CRIME PREVENTION AND CONTROL ON ITS FOURTH SESSION (E/CN.5/536) AS WELL AS THE REPORT OF THE COMMISSION FOR SOCIAL DEVELOPMENT ON ITS TWENTY-FIFTH SESSION,

1. DECIDES THAT A NEW SECTION E, ENTITLED "PERSONS ARRESTED OR IMPRISONED WITHOUT CHARGE" SHOULD BE ADDED TO PART II OF THE RULES, READING AS FOLLOWS:

RULE 95: PERSONS ARRESTED OR IMPRISONED WITHOUT CHARGE SHALL BE ACCORDED THE SAME PROTECTION AS THAT ACCORDED UNDER PART II, SECTION C. RELEVANT PROVISIONS OF PART II, SECTION A, SHALL LIKEWISE BE APPLICABLE WHERE THEIR APPLICATION MAY CONDUCE TO THE BENEFIT OF THIS SPECIAL GROUP OF PERSONS IN CUSTODY, PROVIDED THAT NO MEASURES SHALL BE TAKEN IMPLYING THAT RE-EDUCATION OR REHABILITATION ARE IN ANY WAY APPROPRIATE TO PERSONS NO CONVICTED OF ANY CRIMINAL OFFENCE.

2. URGES THAT THE PROCEDURES FOR THE EFFECTIVE IMPLEMENTATION OF THE STANDARD MINIMUM RULES CONTAINED IN ANNEX VI TO THE REPORT OF THE COMMITTEE ON CRIME PREVENTION AND CONTROL OF ITS FOURTH SESSION (E/CN.5/536), BE FULLY APPLIED. UNQUOTE

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